

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

BARBARA ANN HARTKE, an individual
on her own behalf and on behalf of the Estate
of decedent Gilbert V. Hartke

Plaintiff,

v.

BONHAM'S & BUTTERFIELD'S
AUCTIONEER'S CORPORATION, a
Delaware Corporation; The Catholic
University of America, a Non-Profit District
of Columbia Corporation

Defendants.

Civil Action No.: 22-3571

CERTIFICATION OF COUNSEL

Anthony Scordo, certify as follows:

1. I am an attorney at law in the State of New Jersey, admitted to the Southern District of New York pro hac vice, represent plaintiff Barbara A. Hartke and am familiar with the proceedings in this case.
1. I am in possession of a biography of decedent Gilbert V. Hartke authored by Mary Jo Santo Pietro, published by the Catholic University Press of America entitled Father Hartke: His Life and Legacy in the American Theatre on February 20, 2002 (hereinafter referred to as "the biography") (true copies of excerpts are attached hereto as Exhibit "A"). The book is 363 pages long and contains numerous photographs. The facts asserted herein page numbered in the excerpts are not of my personal knowledge but contained therein.

2. Gilbert Francis Hartke was the son of Emil Hartke and Lillian Ward born on January 16, 1907. He was the youngest of six children Inez, Joseph, Virginia, Berenice, Eugene and Gilbert. Pp. 5-6.
3. He grew up in Chicago, attended college in Providence Rhode Island and in 1929 entered the seminary of the Dominican Order called St. Rose Priory in Springfield KY.p. 26-27.
4. He was ordained as a Dominican priest at St. Dominic's church in Washington DC on June 10, 1936. P. 40. He began studying for a masters degree in English at Catholic University in the fall of 1936.p.42. He was placed in charge of starting a drama/theatre school of Catholic University called Brackfriars Institute of Dramatic Arts in 1937. Pp. 46-47. At the time he was residing at the Dominican House of Studies in Washington DC. Pp. 47-49.
5. Decedent was charged by Catholic University to create a Division of Drama in the Graduate Department of English for the 1937-1938 academic year. P. 53. He taught in the classroom and acted as director of 40 plays produced by the dram department. Pp. 198-199.
6. The decedent was known for his outrageous wardrobe which included genuine lederhosen, leather ski pants, an Indian silk Nehru jacket, and a six foot long aviator's scarf. P. 201. Decedent often received clothes as gifts. His favorite gifts were a Russian she-wolf overcoat, a velvet collared choir cloak. The Salvation Army came twice a year to clear the room of his excessive clothes. When he died his room was packed with clothing lined up on open store racks. Ibid. He especially prized a coat given by Mike Todd, a producer and husband of Elizabeth Taylor. P. 202.
7. In his 32 years as head of the drama department at Catholic and being an associate professor, decedent never received more than \$5700 as an annual salary. P. 306. The campus theatre was named the Gilbert V. Hartke Theatre though the University never apparently formalized the name. P. 310.
8. Decedent was a "notorious slob." The cloistered room contained all kinds of memorabilia including baseball bats and trophies and invitation to presidential balls back to Truman. P. 344. He had so many clothes and memorabilia that he unofficially annexed a second room. Ibid.

9. The University established a Hartke Endowment for scholarships in 1985. P. 347.
10. In 1986, in celebration of his 50th year after ordination , a sculptor designed small busts to raise money for the scholarship endowment fund and one Katherine Prior, a former executive at the National Endowment of Arts was hired by decedent to oversee the project. Litigation apparently ensued between Catholic, the Dominican Order and devoted alumni as to who had rights to the Hartke name. p. 356-357.
11. The author visited decedent days before his passing on February 21, 1986. P. 360-361.
12. The author made many visits from Rutgers University in New Jersey to record the decedent's recollections. She spent many hours at his side in the weeks prior to his passing . P. Prologue, ix.
13. The author currently is a retired faculty member at Kean University and currently serves on the statewide board known as Mike Adler Aphasia Task Force. (Exh. "B").
2. I certify the above statements are true. I realize if the above statements are willfully false, I am subject to punishment.

s/ Anthony Scordo

May 20, 2022

Anthony Scordo